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Via: "Prisoner's Mail Box Act" on 4-8-23 + 5-31-23 (pp) TO:

**FILED**

enclosure[s] : **Record-Based-Evidence** > APPENDIX A ( Exhibit B2 ); Exhibit B4; and Exhibit D4

JUN - 6 2023

ATTN CLERK C. BOSS Please kindly direct this to the CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA  
IN THE UNITED STATES DISTRICT COURT - Western District

> ATTN: JUDGE J. NICHOLAS RANJAN (in RE: No.: 2-22-cv-1391-NR)

**APPLICATION TO JOINDER AS I.F.P. CO-PLAINTIFF in RE: No. 2-22-cv-01391 NR**

AND NOW, comes PHILLIP REHWALD, Pro Se, respectfully in application for Co-Plaintiff Status in RE: No. 2-22-cv-01391 - NR , with good conscience requiring identical US CONSTITUTION 14TH Amendment Due Process Protection [ Right To Redress ] for his salient Non-curable " Dead-head " ( *caput mortuum* ) " declared " Absolute Nullity " , in that, Applicant never was afforded no-not-one SCOTUS Criminal Law § 100.5 ( 3 ) Gagnon 1 Preliminary Hearing at CC: CP02CR-0006354-2015 [ Judge Jill E. RANGOS ] Allegheny County Court Of Common Pleas, 5th Judicial District; directly resulting in Applicant's CURRENT UNLAWFUL CONFINEMENT at SCI Greene Prison, Waynesburg, Pa. ( See: \_\_\_\_\_ ) ; as follows :

1. Because Applicant was hampered by repeated " extraordinary circumstance[s] [that] stood in his way " ( Holland V. Florida, 560 US ( 2010 ) ( holding " extraordinary circumstance[s] stood in his way " , Applicant asserts his right to " Equitable Tolling " Doctrine providing that Pennsylvania State [ tolled ] Statute Of Limitation[s] in this instant case cannot bar ( see: 329 S.W. 2d 39,43 ) his meritorious claim with replete and over-ripe Record-Based-Evidence; as good cause shown with his timely filing[s] ( See: enclosures APPENDIX A & Exhibit[s] B4 & D4 ) - demonstrating full use of required due diligence - whereby Applicant " did not and/or could not discover the injury until after the expiration of the limitation period " , due to multiple [ I.A.C. ] lawyer[s] error[s] ( estoppel by acquiescence ) occurring " even on appeal " as held by NEW Precedent Case Law: Com of Pa V. Bradley, SCOPA, ( 2021 ) ( upholding Bradley, SCOPA ( 2021 ) by " Federal Erie Doctrine " ) - and See Also: Applicant's Nunc-Pro-Tunc Direct Appeal [pending] at No. : # 994-WDA-2022 Pa Super - W.D. ;

2. J. Jill E. RANGOS, to wit: erred, employing sanctioning of [ Applicant PHILLIP REHWALD's ] identical " No-Lift Detainer Policy[s] " with her repeated " inaction[s] " of " categorically refusing to recommend a detainer lift " , mirroring Applicant's [ former J. Donna Jo McDaniel's [ "forced" into resignation for over-sentencing S.O.'s including Applicant Phillip Rehwald - KDKA TV News ] trademarked identical " inaction[s] " of the very same - and that, in concert with Allegheny County Probation Department, et. al. & in concert with Allegheny County Public Defender's Office, et. al. multiple [ I.A.C.'s ] : Applicant never was afforded no-not-one SCOTUS Criminal Law § 100.5 ( 3 ) Gagnon 1 Preliminary Hearing at CC: CP02CR-0006354-2015 [ RANGOS ] before SCOTUS' required " Independent Decisionmaker " LIAISON Mr. Bill Mystik ( sic ) Allegheny County Probation Department; with Record-Based-Evidence[s] : ( J. Rangos positively knew there was no-not-one required NOTICE of Gagnon 1 Preliminary Hearing ( no legal mail signed for by Phillip Rehwald in ACJail ) ; no waiver form executed; and certainly no-not-one required TRANSCRIPT specifically encaptioned as: " Gagnon 1 Prelimianry Hearing " and that, with TWO ( 2 ) Illegal Detainer[s] for TWO ( 2 ) separate alleged County Technical Violationss in 2017 & 2019 ( see: enclosure[s] ) ;

3. Good conscience also requires employment of similar Fed R.C.P. 15 ( C ) Relation Back Doctrine to timely enclosure[s] with it's " effect especially to avoid a time limit " ( Barron's Law Dictionary ) .

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P.R.

WHEREFORE, Applicant respectfully petitions this Honorable Court to:

A. GRANT JOINDER As CO-PLAINTIFF; B. EXTEND [ TOLL ] THE STATUTE OF LIMITATIONS TOLL RELATING BACK TO APR 11, 2019 PM 3:30 timely 1st opportunity to preserve claim; and C. GRANT [ I.F.P. ] Ina Forma Pauperus Status consistent with current I.F.P. Status in RE: No. 2-20-cv-689 USDC-WD Phillip Rehwald V. Zaken, et. al. & in RE: No.: 994-WDA-2022 Pa Super - W.D ( pending )

VERIFICATION & I.F.P. Statement

I, PHILLIP REHWALD , the undersigned state there have been no changes in my finances relating to I.F.P., and that all statements here-in are true and correct to the best of my knowledge and ability.

Respectfully submitted,

x Phillip Rehwald 4-8-23

PHILLIP REHWALD, Pro Se

# NX 8693

Sci Greene

Waynesburg, Pa. 15370-8090

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